

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EUNICE LEE,

Plaintiff,

v.

ULTA SALON,

Defendants.

No. C 09-04022 JSW

**NOTICE OF TENTATIVE
RULING AND QUESTIONS FOR
HEARING**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE TAKE
NOTICE OF THE FOLLOWING QUESTIONS FOR THE HEARING SCHEDULED ON
SEPTEMBER 3, 2010 AT 9:00 A.M.:

The Court has reviewed the parties' memoranda of points and authorities and, thus, does not wish to hear the parties reargue matters addressed in those pleadings. If the parties intend to rely on legal authorities not cited in their briefs, they are ORDERED to notify the Court and opposing counsel of these authorities reasonably in advance of the hearing and to make copies available at the hearing. If the parties submit such additional authorities, they are ORDERED to submit the citations to the authorities only, with pin cites and without argument or additional briefing. *Cf.* N.D. Civil Local Rule 7-3(d). The parties will be given the opportunity at oral argument to explain their reliance on such authority. The Court also suggests that associates or of counsel attorneys who are working on this case be permitted to address some or all of the Court's questions contained herein.

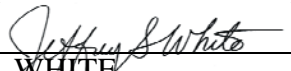
The Court **tentatively grants** the motion for preliminary approval. Although the Court does not normally permit briefing on the questions in advance of the hearing, the Court believes

1 many of its questions can be answered without the need for oral argument. Accordingly, if the
2 parties wish to respond to the questions in writing, they may do so by no later than August 30,
3 2010, otherwise they shall appear at the hearing as scheduled and shall have ten (10) minutes
4 each to address the questions set forth herein. If the parties submit written responses and if the
5 Court finds the matter suitable for disposition without oral argument, it shall notify the parties
6 in advance of the hearing.

- 7 1. In the event a Class Member were to dispute the number of weeks worked and/or
8 his or her salary, is there a mechanism by which they dispute the amount of their
9 Settlement Payment? If so, what is that mechanism?
- 10 2. Do Plaintiffs anticipate submitting a declaration from Ms. Mantegna at the time
11 of final approval to justify the service payment she seeks?
- 12 3. Do the parties object to modifying the proposed form of notice and proposed
13 order to reflect that the service payment sought by Ms. Mantegna also is subject
14 to Court approval?

15 **IT IS SO ORDERED.**

16
17 Dated: August 23, 2010



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE